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SIPDIS

DEPT FOR NEA/ARP, S/CT DS/ATA, PM; ENERGY FOR KOLEVAR; NSC FOR ANDERSON

E.O. 12958 N/A

TAGS: PREL EPET KCIP KU

SUBJECT: KUWAIT RESPONDS POSITIVELY TO PROPOSED MOU ON CEIP JOINT WORKING GROUP

REF: A. KUWAIT 337
1B. 07 KUWAIT 1027
1C. 07 KUWAIT 921

11. (U) This is an action request. See paragraph 3.

12. (U) Post received Government of Kuwait's(GOK) written response to USG draft memorandum of understanding regarding establishment of a joint working group for the improvement of Kuwait's critical energy infrastructure protection(CEIP) systems. The GOK has indicated that it wishes to sign the MOU during Prime Minister Shaykh Nasser al-Mohammed al-Ahmed al-Jaber Al Sabah's September 18-19 Washington, DC visit.

13. BEGIN TEXT of informal Embassy translation:

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE STATE OF KUWAIT AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON COOPERATION ON DEVELOPMENT OF VITAL ENERGY INSTALLATION PROTECTION IN KUWAIT

The Government of the State of Kuwait and the Government of the United States of America, hereinafter referred to jointly as the "parties,"

Sharing the desire to strengthen the bilateral relations between the two countries,

Recognizing of the importance of developing security protection procedures against any potential terrorist attacks on vital energy installations in the State of Kuwait,

And understanding that it is within the Industrial Shuaiba Area parameter,
Have agreed on the following:

ARTICLE I

Both parties work together to reinforce the protection of vital energy installations and vital infrastructure installations, and taking into consideration that it is important that the joint team identifies this infrastructure and its concept.

ARTICLE II

Form a joint team of experts in the field of security and protection of vital energy installations to develop protection procedures of vital energy and infrastructure installations of the State of Kuwait, provided that the role of this team is consultative for both countries.

ARTICLE III

The duties of the joint team are as follows:

- ¶11. Lay down a comprehensive plan to develop the protection procedures of vital energy and infrastructure installations of the State of Kuwait.
- ¶12. Follow up on implementing the above plan and coordinate between the competent authorities in both countries.
- ¶13. Set a timeframe for implementing the plan
- ¶14. Make suggestions and studies needed to improve the implementation of the plan.
- ¶15. Arrange visits by U.S. security experts to assess the security protection measures of vital energy and installations of the State of Kuwait and to address recommendations or suggestions needed to develop such measures to the joint team.
- ¶16. Offer consultation to the Kuwaiti side on designing a training program to train security forces in order to improve their skills in protecting vital installations and using the suitable protection equipment.
- ¶17. Offer consultation to the Kuwaiti side on selecting the suitable security protection technical equipment.
- ¶18. Arrange field visits for Kuwaiti security experts to energy installations in the United States to review the security procedures adopted there.

ARTICLE IV

The joint team holds its meetings periodically every three months in the U.S. and Kuwait alternately. The team includes:

1 - Kuwaiti Side

- Represented by the High Committee for Protection of Vital Energy Installations.

2 - American Side:

- Economic Attach at the U.S. Embassy in Kuwait, and he leads the American side at the joint team.

- Representative specialized in vital installation protection from the Department of Energy.

- Representative specialized in energy infrastructure security policy from the Department of State

- Representative from Coast Guards or Department of Homeland Security

- Representative from the 5th Fleet, U.S. Army

If necessary, parties may add representatives whom they think appropriate from other authorities in both countries to the joint team through the Economic Attach at the U.S. Embassy in Kuwait and National Security Bureau, since they are the points of contact.

ARTICLE V

The joint team at both sides works on making the needful procedures to obtain access passes for individuals involved in implementing this MOU.

ARTICLES VI

All information and documents related to the implementation of this MOU are confidential and must not be shared with any other body, except for the information the parties agree otherwise.

ARTICLE VII

Each party is responsible for the costs and expenses of travel and accommodations of its joint team members.

ARTICLE VIII

- ¶11. This MOU becomes effective on the date either party notifies the other party that it has fulfilled all its national requirements to enforce it.

¶2. The MOU is valid for three years and is automatically renewed for the same period or periods, unless a party notifies the other party of its intent to cancel the agreement six months before its validity is over.

¶3. Cessation of this MOU shall not affect the activities agreed on before its expiration.

¶4. The MOU can be amended if both parties agree to it, and such amendments take effect in accordance with Clause (1) of this Article.

Signed at _____, on _____, 2008, in duplicate, in the Arabic and English languages.

FOR THE GOVERNMENT OF THE STATE OF KUWAIT
FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

¶4. ACTION REQUEST: Post requests translation of GOK response and determination as to whether this agreement will be ready for signature during the PM's visit. Post emailed full original Arabic text of GOK response and original draft MOU delivered by Post to GOK in June, 2007 to NEA/ARP DESK and S/CT Bruce Averill (Ref B and C).

For more reporting from Embassy Kuwait, visit:
<http://www.state.sgov.gov/p/nea/kuwait/cables>

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<http://www.state.sgov.gov/p/nea/kusait/>

JONES